



BAKER BOTTS L.L.P.

Attorney Docket No. A34920-PCT-USA-072667.0179
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Beclin, Christophe *et al.*
Serial No. : 10/030,829 Examiner: TBA
Filed : January 11, 2002 Group Art Unit: 1646
For : NOVEL SGS3 PLANT GENE AND USES THEREOF

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LETTER OF CORRECTION

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February 14, 2003

Date of Deposit

Alicia A. Russo

Attorney Name

Alicia A. Russo
Signature

46,192

PTO Registration No.

February 14, 2003

Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request correction on the Information Disclosure

Statement and PTO 1449 Form, mailed January 31, 2003 (copies attached) to reflect correction of the Serial Number for the above-captioned application from "10/030,289" to --10/030,829--.

Respectfully submitted,

Dated: February 14, 2003

Alicia A. Russo
Alicia A. Russo
Patent Office Reg. No. 46,192
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §1.56 and §1.97(c)(2), Applicants respectfully request that the documents relating to the above-identified application listed herein in reverse chronological alphabetical order be considered and made of record in the U.S. Patent and Trademark Office.

1. U.S. Patent No. 5,565,346 to Facciotti. on October 15, 1996
2. U.S. Patent No. 5,554,798 to Lundquist *et al.* on September 10, 1996
3. U.S. Patent No. 5,538,877 to Lundquist *et al.* on July 23, 1996

4. U.S. Patent No. 5,510,318 to Patel *et al.* on April 23, 1996
5. U.S. Patent No. 5,508,468 to Lundquist *et al.* on April 16, 1996
6. U.S. Patent No. 5,489,520 to Adams *et al.* on February 6, 1996
7. U.S. Patent No. 5,484,956 to Lundquist *et al.* on January 16, 1996
8. U.S. Patent No. 5,487,744 to Sanford *et al.* on December 26, 1995
9. U.S. Patent No. 5,464,763 to Schilperoort *et al.* on November 7, 1995
10. U.S. Patent No. 5,405,765 to Vasil *et al.* on April 11, 1995
11. U.S. Patent No. 5,371,014 to Matsuyama *et al.* on December 6, 1994
12. U.S. Patent No. 5,204,253 to Sanford *et al.* on April 20, 1993
13. U.S. Patent No. 5,187,073 to Goldman *et al.* on February 16, 1993
14. U.S. Patent No. 5,179,022 to Sanford *et al.* on January 12, 1993
15. U.S. Patent No. 5,177,010 to Goldman *et al.* on January 5, 1993
16. U.S. Patent No. 5,100,792 to Sanford *et al.* on March 31, 1992
17. U.S. Patent No. 5,036,006 to Sanford *et al.* on July 30, 1991
18. U.S. Patent No. 4,945,050 to Sanford *et al.* on July 31, 1990
19. U.S. Patent No. 4,536,475 to Anderson. on August 20, 1985
20. U.S. Patent No. 4,459,355 to Cello *et al.* on July 10, 1984
21. EP 0 672 752 A1 by Saito *et al.*
22. EP 0 604 662 A1 by Hiei *et al.*
23. EP 0 486 234 A2 by Bidney.
24. EP 0 486 233 A2 by Bidney.
25. EP 0 442 174 A1 by Tomes.
26. EP 0 267 159 A2 by Grimsley.
27. WO 97/46690 A1 by Drake *et al.*

28. WO 95/06128 A2 by Dams *et al.*
29. EP 0 674 725 now WO 94/13863 A1 by Scruggs *et al.*
30. EP 0 539 563 now WO 92/20809 A1 by Christou *et al.*
31. WO 91/02071 A2 by Adams *et al.*
32. Buell C.R. *et al.*, Accession No. AQ964581, January 31, 2000.
33. Nakamura Y. *et al.*, Accession No. AV566465, June 16, 2000.
34. Nakamura Y. *et al.*, Accession No. AV525508, June 15, 2000.
35. Mourrain P. *et al.*, Accession No. AF239719, June 7, 2000.
36. Nakamura Y., Accession No. AB025633, April 9, 1999.
37. Genoscope, Accession No. AL084227, June 28, 1999.
38. DOE Joint Genome Institute, Accession No. AC009109, August, 4, 1999.
39. Chen J. *et al.*, Accession No. AI999551, September 9, 1999.
40. Wassenegger M *et al.*, 1998, "A model for RNA-mediated gene silencing in higher plants" *Plant Molecular Biology* **37**:349-362.
41. Aranda M *et al.*, 1998, "Virus-Induced Host Gene Shutoff in Animals and Plants" *Virology* **243**:261-267, Article No. VY989032.
42. Fire A *et al.*, 1998, "Potent and specific genetic interference by double-stranded RNA in *Caenorhabditis elegans*" *Nature* **391**:806-811.
43. Al-Kaff N *et al.*, 1998, "Transcriptional and Posttranscriptional Plant Gene Silencing in Response to a Pathogen" www.sciencemag.org * *Science* **279**:2113-2115.
44. Jorgensen R *et al.*, 1998, "An RNA-Based Information Superhighway in Plants" www.sciencemag.org * *Science* **279**:1486-1487.
45. Rounsley S.D. *et al.*, Accession No. AQ010650, May 29, 1998.
46. Vaucheret H *et al.*, 1998, XP-002149065, "Transgene-induced gene silencing in plants" *The Plant Journal* **16**(6):651-659.
47. Elmayan T *et al.*, 1998, XP-002149063, "Arabidopsis Mutants Impaired in Cosuppression" *The Plant Cell* **10**:1747-1757.

48. Voinnet O *et al.*, 1998, "Systemic Spread of Sequence-Specific Transgene RNA Degradation in Plants Is Initiated by Localized Introduction of Ectopic Promoterless DNA" *Cell* **95**:177-187.
49. Schiebel W *et al.*, 1998, "Isolation of an RNA-Directed RNA Polymerase-Specific cDNA Clone from Tomato" *www.plantcell.org*, *The Plant Cell* **10**:2087-2101.
50. Kassachau K *et al.*, 1998, "A Counterdefensive Strategy of Plant Viruses: Suppression of Posttranscriptional Gene Silencing" *Cell* **95**:461-470.
51. Jones C *et al.*, 1998, "The effect of chimeric transgene architecture on co-ordinated gene silencing" *Planta* **204**:499-505.
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54. Ratcliff F *et al.*, 1997, "A Similarity Between Viral Defense and Gene Silencing in Plants" *www.sciencemag.org*, *Science* **276**:1558-1560.
55. Kempin SA *et al.*, 1997, "Targeted disruption in *Arabidopsis*" *Nature* **389**:802-803.
56. Voinnet O *et al.*, 1997, "Systemic signalling in gene silencing" *Nature* **389**:553.
57. Jean-Christophe P *et al.*, 1997, "Systemic acquired silencing: transgene-specific post-transcriptional silencing is transmitted by grafting from silenced stocks to non-silenced scions" *The EMBO Journal* **16**(15):4738-4745.
58. Angell S *et al.*, 1997, "Consistent gene silencing in transgenic plants expressing a replicating potato virus X RNA" *The EMBO Journal* **16**(12):3675-3684.
59. Elmayan T *et al.*, 1996, "Expression of single copies of a strongly expressed 35S transgene can be silenced post-transcriptionally" *The Plant Journal* **9**(6):787-797.
60. Lomonossoff G, 1995, "Pathogen-Derived Resistance To Plant Viruses" *Annu. Rev. Phytopathol.* **33**:324-43.
61. van Engelen F *et al.*, 1995, "pBINPLUS: an improved plant transformation vector based on pBIN19" *Transgenic Research* **4**:288-290.

62. Panabières F *et al.*, 1995, "Characterization of a Gene Cluster of *Phytophthora cryptogea* Which Codes for Elicitins, Proteins Inducing a Hypersensitive-Like Response in Tobacco" *Molecular Plant-Microbe Interactions* **8**(6):996-1003.
63. Kamoun S *et al.*, 1993, "A Gene Encoding a Host-Specific Elicitor Protein of *Phytophthora parasitica*" *MPMI* **6**(5):573-581.
64. Judelson H *et al.*, 1993, "Expression and antisense inhibition of transgenes in *Phytophthora infestans* is modulated by choice of promoter and position effects" *Gene* **133**:63-69.
65. Altschul S, 1993, "A Protein Alignment Scoring System Sensitive at All Evolutionary Distances" *J Mol Evol* **36**:290-300.
66. Kortt A *et al.*, 1991, "Amino acid and cDNA sequences of a methionine-rich 2S protein from sunflower seed (*Helianthus annuus* L.)" *Eur. J. Biochem.* **195**:329-334.
67. Altschul S *et al.*, 1990, "Basic Local Alignment Search Tool" *J Mol. Biol.* **215**:403-410.
68. White J *et al.*, 1990, "A cassette containing the bar gene of *Streptomyces hygroscopicus*: a selectable marker for plant transformation" *Nucleic Acids Research* **18**(4):1062.
69. Bevan M *et al.*, 1983, "A chimaeric antibiotic resistance gene as a selectable marker for plant cell transformation" *Nature* **304**:184-187.
70. Gritz L *et al.*, 1983, "Plasmid-encoded hygromycin B resistance: the sequence of hygromycin B phosphotransferase gene and its expression in *Escherichia coli* and *Saccharomyces cerevisiae*" *Gene* **25**:179-188.

The cited documents are listed in the accompanying PTO 1449 Form. Copies of the documents are submitted herewith in three bound volumes. Document 26 is in German.

Applicants have provided an English abstract of Document 26 obtained from

<http://ep.espacenet.com>. Documents 32-39 and 44 were obtained from

<http://www.ncbi.nlm.nih.gov>.

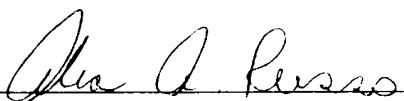
Identification of the documents listed in the attached PTO 1449 Form is not to be construed as an admission of Applicants or Attorneys for Applicants that such documents are

available as "prior art" against the above-identified application. Applicants submitted a copy of the International Preliminary Exam Report on January 11, 2002.

Applicants do not believe that a fee is required with this submission since no Office Action has been received. Nevertheless, any required fees not enclosed herewith may be charged to Deposit Account No. 02-4377. Two copies of this page are enclosed.

Respectfully submitted,

Dated: January 31, 2003

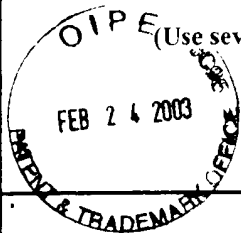


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Enclosures

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) 	Atty. Docket No. A34920 PCT-USA 072667.0179	Serial No. 10/030,289
	Applicant Beclin, Christophe <i>et al.</i>	
	Filing Date January 11, 2002	Group 1646
	Examiner TBA	<div style="text-align: right;"> RECEIVED FEB 28 2003 TECH CENTER 1600/2900 </div>

U.S. PATENT DOCUMENTS

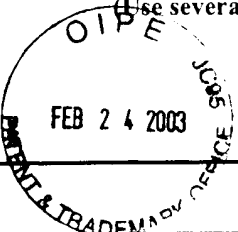
*Exam. Init.	No.	Document No.							Date	Name	Class	Subclass	Filing Date if Appr.
	1.	5	5	6	5	3	4	6	10/15/96	Facciotti	435	172.3	07/27/88
	2.	5	5	5	4	7	9	8	09/10/96	Lundquist <i>et al.</i>	800	205	05/15/95
	3.	5	5	3	8	8	7	7	07/23/96	Lundquist <i>et al.</i>	435	172.3	11/10/92
	4.	5	5	1	0	3	1	8	04/23/96	Patel <i>et al.</i>	504	223	05/25/93
	5.	5	5	0	8	4	6	8	04/16/96	Lundquist <i>et al.</i>	800	205	04/16/96
	6.	5	4	8	9	5	2	0	02/06/96	Adams <i>et al.</i>	435	172.3	04/26/94
	7.	5	4	8	4	9	5	6	01/16/96	Lundquist <i>et al.</i>	800	205	04/11/90
	8.	5	4	7	8	7	4	4	12/26/95	Sanford <i>et al.</i>	435	285.1	08/12/94
	9.	5	4	6	4	7	6	3	11/07/95	Schilperoort <i>et al.</i>	435	172.3	12/23/93
	10.	5	4	0	5	7	6	5	04/11/95	Vasil <i>et al.</i>	435	172.3	08/21/92
	11.	5	3	7	1	0	1	4	12/06/94	Matsuyama <i>et al.</i>	435	280	10/22/93
	12.	5	2	0	4	2	5	3	04/20/93	Sanford <i>et al.</i>	435	172.3	05/29/90
	13.	5	1	8	7	0	7	3	02/16/93	Goldman <i>et al.</i>	435	172.3	11/13/89

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Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	14.	5	1	7	9	0	2	2	01/12/93	Sanford <i>et al.</i>	435	287	02/11/92
	15.	5	1	7	7	0	1	0	01/05/93	Goldman <i>et al.</i>	435	172.3	09/05/90
	16.	5	1	0	0	7	9	2	03/31/92	Sanford <i>et al.</i>	435	172.1	01/24/89
	17.	5	0	3	6	0	0	6	07/30/91	Sanford <i>et al.</i>	435	170.1	08/17/89
	18.	4	9	4	5	0	5	0	07/31/90	Sanford <i>et al.</i>	435	172.1	11/13/84
	19.	4	5	3	6	4	7	5	08/20/85	Anderson	435	172.3	10/05/82
	20.	4	4	5	9	3	5	5	07/10/84	Cello <i>et al.</i>	435	172.3	07/12/82

FOREIGN PATENT DOCUMENTS

No.	Document No.	Date	Country	Class	Subclass	Translation Yes No
21.	EP 0 672 752 A1	20.09.95	Europe	C12N	15/00	<u>Yes</u>
22.	EP 0 604 662 A1	06.07.94	Europe	A01H	1/00	<u>Yes</u>
23.	EP 0 486 234 A2	20.05.92	Europe	C12N	15/82	<u>Yes</u>
24.	EP 0 486 233 A2	20.05.92	Europe	C12N	15/82	<u>Yes</u>
25.	EP 0 442 174 A1	21.08.91	Europe	C12N	15/82	<u>Yes</u>

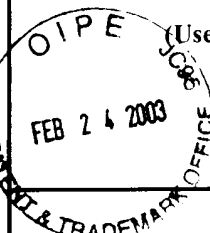
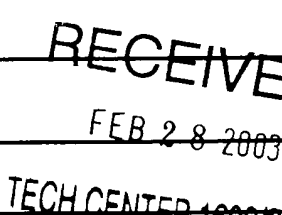
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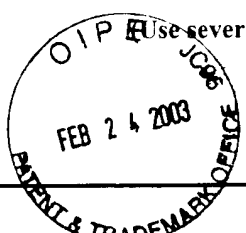
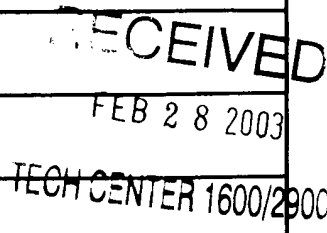
No.	Document No.	Date	Country	Class	Subclass	Translation Yes No
26.	EP 0 267 159 A2	11.05.88	Europe	C12N	15/00	<u>No</u>
27.	WO 97/46690	11.12.97	International	C12N	15/67	<u>Yes</u>
28.	WO 95/06128	02.03.95	International	C12N	15/82	<u>Yes</u>
29.	WO 95/13863	23.06.94	International	C25D	3/56	<u>Yes</u>
30.	WO 92/20809	26.11.92	International	C12N	15/89	<u>Yes</u>
31.	WO 91/02071	21.02.91	International	C12N	15/82	<u>Yes</u>

No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
32.	Buell C.R. <i>et al.</i> , Accession No. AQ964581, January 31, 2000.
33.	Nakamura Y. <i>et al.</i> , Accession No. AV566465, June 16, 2000.
34.	Nakamura Y. <i>et al.</i> , Accession No. AV525508, June 15, 2000.
35.	Mourrain P. <i>et al.</i> , Accession No. AF239719, June 7, 2000.
36.	Nakamura Y., Accession No. AB025633, April 9, 1999.
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39.	Chen J. <i>et al.</i> , Accession No. AI999551, September 9, 1999.
40.	Wassenegger M <i>et al.</i> , 1998, "A model for RNA-mediated gene silencing in higher plants" <i>Plant Molecular Biology</i> 37 :349-362.
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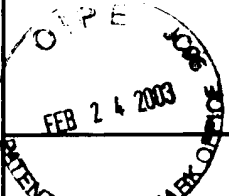
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51.	Jones C <i>et al.</i> , 1998, "The effect of chimeric transgene architecture on co-ordinated gene silencing" <i>Planta</i> 204 :499-505.
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53.	Prokisch H <i>et al.</i> , 1997, "Impairment of calcineurin function in <i>Neurospora crassa</i> reveals its essential role in hyphal growth, morphology and maintenance of the apical Ca ²⁺ gradient" <i>Mol Gene Genet</i> 256 :104-114.
54.	Ratcliff F <i>et al.</i> , 1997, "A Similarity Between Viral Defense and Gene Silencing in Plants" www.sciencemag.org , <i>Science</i> 276 :1558-1560.
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Examiner	Date Considered

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